

BILL NO. G-70-04- 35

GENERAL ORDINANCE NO. G- 87-70

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public streets and alleys in Swinney's Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of public streets and alleys in Swinney's Addition by ESSEX INTERNATIONAL, INC., having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on March 23, 1970 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, Section 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets and alleys located in Fort Wayne, Allen County, Indiana, to-wit:

PARCEL 1

A 12 foot alley and part of a 10 foot alley in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

A 12 foot wide alley running North-South direction and being more particularly described as follows: the West 12 feet of the East 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana, together with a 10 foot wide alley being more particularly described as follows: 10 foot in width and being located North of and contiguous to the North line of Lots #155 through #160 and the North line of the East 31 feet of Lot #154 in said Swinney's Addition, containing 0.097 acres of land.

PARCEL NO. 2

Part of Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning on the Southeast corner of Lot #160 in said Swinney's Addition; thence Westerly, along the North line of Wall Street, 325.65 feet to the Northerly projection of the West line of Phenie Street; thence Southerly, along said projected line, 50.0 feet to the South line of Wall Street; thence Easterly, along said South line, 325.65 feet to the Southerly projection of the East line of Lot #160 of said Addition; thence Northerly, along said projected line 50.0 feet to the point of beginning, containing 0.374 acres of land.

PARCEL 3.

Part of Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the intersection of the East line of Phenie Street with the South line of Wall Street; thence Westerly, along the South line of Wall Street 45.65 feet to the West line of Phenie Street; thence Southerly, along said West line, 312.0 feet to the Westerly projection of the North line of Swinney Avenue; thence Easterly, along said projected North line, 45.65 feet to the East line of Phenie Street; thence Northerly, along said East line, 312.0 feet to the point of beginning, containing 0.327 acres of land.

PARCEL 4.

A 12 foot wide Alley along the West bank of St. Mary's River in Swinney Addition to the City of Fort Wayne, Indiana and a 23.5 foot wide Alley West of Lot #342 of said Addition. The East line of said Alleys more particularly described as follows:

Beginning on the East line of said 12 foot wide Alley at a point situated 77.4 feet South of the Northwest corner of Lot #239 of said Swinney's Addition; thence Northerly, along the West line of Lots # 239 and #240 and across an all foot wide vacated alley, a distance of 228.4 feet to the South line of vacated portion of Stophlet Street;

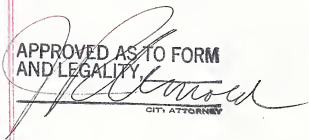
thence Northerly, across Stophlet Street, 50.0 feet; thence Northerly along the West line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence Northwesterly, along the Westerly line of Lot #284, 152.2 feet to the South line of vacated portion of Swinney Street; thence Northwesterly, across said Street, 60.7 feet; thence Northwesterly, along the West line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence Northwesterly, along the West line of Lot #311, a distance of 159.4 feet to the South line of vacated portion of Wall Street; thence Northwesterly, across said Street, 53.1 feet to the Southwest corner of Lot #342; thence Northerly, along the West line of said Lot, 109.5 feet to the South line of said 23.5 foot wide alley; thence Northerly, continuing along the West line of said Lot #342, a distance of 50.0 feet to the North line of a 10 foot wide vacated alley along and contiguous to the North line of Lot #342. Containing 0.706 acre of land.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY


CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T.

Date: 4-28-70

Luud G. Boushroom
City Clerk

Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	<u>/</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>/</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>/</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>/</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>/</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>/</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>/</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>/</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>/</u>	_____	_____	_____	_____	_____	_____	

Date 5-12-70

Luud G. Boushroom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 9-87-70

on the 12th day of May, 196 70.

ATTEST: (SEAL)

Luud G. Boushroom
City Clerk

Herbert R. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of May, 196 70 at the hour of 8:30 o'clock A.M., E.S.T.

Luud G. Boushroom
City Clerk

Approved and signed by me this 13th day of May, 196 70 at the hour of 9:12 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-70-04-35

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of public streets
and alleys in Swinney's Addition,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JACK K. DUNIFON, Chairman
EDWIN J. ROUSSEAU, Vice Chairman
THOMAS G. ADAMS
WILLIAM K. CEAKE
PHIL A. STEIGERWALD

Jack K. Dunifon
Edwin J. Rousseau
Thomas G. Adams
William K. Cea
Phil A. Steigerwald

CONCURRED IN

DATE 5-12-70 FUAD G. BONAHOOM, CITY CLERK